Mims Community Radio, Inc. Amendment to BPED-891127MD MM Docket No. 92-33 June 25, 1992

RADIO FREQUENCY RADIATION

PROTECTION TO HUMANS IN VICINITY ON GROUND

The American National Standards Institute (ANSI) has published guidelines for maximum safe exposure relating to RF radiation. In its publicatin OST Bulletin No. 65, Table 1 on page 37 shows the minimum antenna height for a given power to retain safe limits on the ground. The "Mims" proposal features vertical polarization only, and the 25KW it radiates, were it from a worst case antenna, would need to be 28.9 meters above ground level. The Mims proposed antenna radiation center, above ground level, as seen on Exhibit E-1, is 57.1 meters. It is concluded that humans are safe on the ground at this proposed operation.

With respect to <u>workers on the tower structure</u>, they could only be protected by eliminating nearly all the RF produced. As a safety measure, the applicant will adopt as strict policy, that the transmitter will undergo shut-down at any time a worker is required to be on the tower for any reason.

Exhibit E-7

June, 1992

Mims Community Radio, Inc. Channel 204C3 at Oak Hill, FL Amendment to BPED-891127MD MM Docket No. 92-33

PROTECTION TO WCPX CHANNEL SIX

CFR 73.525 provides that this applicant:

- 1. A horizontally polarized ERP bring predicted interference to no more than 3,000 persons, or 4,000 persons if the applicant will mail or distribute at least one thousand traps of such quality that they remove the interference caused.
- 2. Following that showing, if the interference area lies completely outside the city limits of a city of less than 50,000 persons, the power achieved above in "1." may be substituted for vertical polarization only with 40 times the watts.

Mims Community Radio, Inc. demonstrates in this exhibit, compliance to the above requirements and provisions.

The TV Six interference study proposed a horizontal signal ERP of 625 watts (.625KW). With less than 3,000 persons found to exist in the resultant interference contour, the 625 watt ERP horizontal, was changed for 25KW of vertical polarization only.

Mims Community Radio, Inc. Docket No. 92-33

Amendment to BPED-891127MD Channel 204C3 at Oak Hill FL

Si Lat 1	ference ite 29-01-53 31-03-14	C/ La	′R	145 m de: :	AAT -36-85	 -08 -37		Lá	/R atitu	58 m de: 1	n. 204 AAT 29-01- 81-03-	-53
Bear. (deg)	Dist (km)	Bear. (deg)			ERP (kW)	F.S. (dBu)					ERP (kW)	F.S. (dBu)
						70 0						
.0 1.0	6.2 6.2		53.9 53.9		100	72.3 72.3		.0 1.0				72.5 72.4
2.0	6.2		53.9	448	100	72.3				60.4		72.4
3.0	6.2		53.9	448	100	72.3				60.4	.63	72.4
4.0	6.2		53.9	448	100	72.3				60.5	.63	72.4
5.0	6.2		53.9	448	100	72.3				60.6	.63	72.4
6.0	6.2		53.9	448	100	72.3				60.6	.63	72.4
7.0	6.2		53.9	448	100	72.3	.1			60.7	.63	72.4
8.0	6.2		53.9	448	100	72.3			6.19		.63	72.4
9.0	6.2		53.9	448	100	72.3			6.20		.63	72.4
10.0	6.2		53.9	448	100	72.3				60.9	.63	72.4
11.0	6.2	5.4	53.9	448	100	72.3	.1	11.0			.63	72.4
12.0	6.2	5.5	53.9	448	100	72.3	.1	12.0			.63	72.4
13.0	6.2	5.6	53.9	448	100	72.3	.1	13.0	6.20	61.1	.63	72.4
14.0	6.2	5.7	53.8	448	100	72.3	.1	14.0	6.21	61.1	.63	72.4
15.0	6.2	5.8	53.8	448	100	72.3	.1	15.0	6.21	61.2	.63	72.4
16.0	6.2	5.9	53.8	448	100	72.3	.1	16.0	6.21	61.3	.63	72.4
17.0	6.2		53.8	448	100	72.3	. 1	17.0			.63	72.5
18.0	6.2		53.8	448	100	72.4		18.0			.63	72.5
19.0	6.2		53.7	448	100	72.4		19.0			.63	72.5
20.0	6.2		53.7	448	100	72.4				61.5	.63	72.5
21.0	6.2		53.7	448	100	72.4				61.6	.63	72.5
22.0	6.2		53.7	448	100	72.4			6.21		.63	72.5
23.0	6.2		53.6	448	100	72.4			6.21		.63	72.5
24.0	6.2		53.6	448	100	72.4			6.20		.63	72.5
25.0 26.0	6.2 6.2	7.0	53.6	448 448	100	72.4		25.0			.63	72.6 72.6
27.0	6.2		53.5	448	100	72.5 72.5			6.20	61.9		72.6
	6.2					72.5					.63	72.6
29.0	6.2		53.4	448	100	72.5	.1		6.19		.63	72.6
30.0	6.2		53.4	448	100	72.5	.1		6.19		.63	72.6
31.0	6.2		53.3	448	100	72.6	.1		6.19		.63	72.6
32.0	6.2		53.3	448	100	72.6	.1		6.19		.63	72.6
33.0	6.2		53.2	448	100	72.6	.1		6.18		.63	72.7
34.0	6.2		53.2	448	100	72.6	.1		6.18		.63	72.7
35.0	6.2		53.1	448	100	72.6	.1		6.18		.63	72.7
36.0	6.2		53.1	448	100	72.7	.1		6.17		.63	72.7
37.0	6.2	8.2	53.0	448	100	72.7	.1		6.17		.63	72.7
38.0	6.2		53.0	448	100	72.7	. 1		6.16		.63	72.8
39.0	6.2		52.9	448	100	72.8	.0	39.0	6.16	62.8	.63	72.8
40.0	6.2		52.9	448	100	72.8	.0		6.16		.63	72.8
41.0	6.2		52.8	448	100	72.8	.0		6.15		.63	72.8
42.0	6.2		52.7	448	100	72.8	.0			62.9	.63	72.8
43.0	6.1	8.8	52.7	448	100	72.9	.0	43.0	6.14	63.0	.63	72.9

Mims Community Radio, Inc. Docket No. 92-33

Amendment to BPED-891127MD Channel 204C3 at Oak Hill FL

Si Lat 2	erence te 9-01-53 1-03-14	€/ La	/R 4 atitud	145 m de: :	TAA -36–82	 -08 -37		L	Propos /R atitua ngitua	58 m de: 2	n. 204 AAT 29-01- 31-03-	-53
(deg)	Dist (km)		(km)	(m)	(kW)	F.S. (dBu)	(dB)	(deg)	(km)	(m)	(kW)	
	6.1	8.9			100	72.9	.0	44.0				72.9
45.0	6.1	8.9	52.5	448	100			45.0	6.13	63.1	.63	72.9
46.0	6.1	9.0	52.5	449	100	73.0	.0	46.0	6.12	63.1	.63	73.0
47.0	6.1	9.1	52.4	449	100	73.0	.0	47.0	6.11	63.1	.63	73.0
48.0	6.1	9.2	52.3	449	100	73.0	0	48.0	6.10	63.1	.63	73.0
49.0	6.1		52.3	449	100	73.1	0	49.0	6.09	63.1	.63	73.0
50.0	6.1		52.2	449	100	73.1	0	50.0	6.08	63.1	.63	73.1
51.0	6.1		52.1		100	73.1		51.0	6.07	63.1	.63	73.1
52.0	6.1		52.0	449	100	73.2			6.06		.63	73.1
53.0	6.1		51.9		100	73.2	0			63.0	.63	73.1
54.0	6.0		51.9	449	100	73.2	0		6.04		.63	73.2
55.0	6.0		51.8	449	100	73.3	1			63.0	.63	73.2
56.0	6.0		51.7		100	73.3	1		6.03		.63	73.2
57.0	6.0	9.9		449	100	73.4	1			63.0	.63	73.3
58.0	6.0		51.5		100	73.4 73.4				63.0	.63	73.3
59.0	6.0	10.0			100	73.4		59.0			.63	73.3 73.4
60.0 61.0	6.0 6.0	10.1		449 449	100	73.5		60.0 61.0			.63 .63	73.4
62.0	6.0	10.2		449	100	73.6		62.0			.63	73.4
62.0	5.9	10.2		449	100	73.6		63.0			.63	73.5
64.0	5.9	10.3		449	100	73.6		64.0			.63	73.5
65.0	5.9	10.4			100	73.7		65.0			.63	73.6
66.0	5.9	10.5		449	100	73.7		66.0			.63	73.6
67.0	5.9	10.5		449	100	73.8		67.0			.63	73.6
68.0	5.9	10.6		449	100	73.8		68.0			.63	73.7
69.0	5.9	10.6		449	100	73.8	_ 1			62.8		73.7
70.0	5.9	10.7			100	73.9	_ 1			62.8		73.7
71.0	5.8	10.7	50.4	449	100	73.9	- 1	71.0	5.85	62.8	.63	73.8
72.0	5.8	10.8	50.3	449	100	74.0	2	72.0	5.83	62.8	.63	73.8
73.0	5.8	10.8	50.2	449	100	74.0	2	73.0	5.82	62.8	.63	73.8
74.0	5.8	10.8		449	100	74.1	2		5.81		.63	73.9
75.0	5.8	10.9		449	100	74.1	2			62.8	.63	73.9
76.0	5.8	10.9		449	100	74.2	2			62.7	.63	74.0
77.0	5.8	11.0		449	100	74.2	2			62.7	.63	74.0
78.0	5.8	11.0		449	100	74.2	2			62.7	.63	74.0
79.0	5.7	11.0		449	100	74.3	2			62.7	.63	74.1
80.0	5.7	11.0		449	100	74.3	2			62.7	.63	74.1
81.0 82.0	5.7 5.7	11.1		449 449	100	74.4 74.4	2 2		5.70	62.7	.63 .63	74.1 74.2
82.0 83.0	5.7 5.7	11.1		447	100	74.4	2 2			62.7	.63	74.2
84.0	5.7	11.1		449	100	74.5	2 2	84.0			.63	74.3
85.0	5.7	11.2		449	100	74.5	2	85.0			.63	74.3
86.0	5.7	11.2		449	100	74.6	2	86.0			.63	74.4
87.0	5.6	11.2		449	100	74.6	2		5.64		.63	74.4
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Mims Community Radio, Inc.

Docket No. 92-33 Amendment to BPED-891127MD

Channel 204C3 at Oak Hill FL

June 1992

Interfe Sito Lat 29 Lon 81	e -01-53	C	/R 4 atitud	145 m de: :	TAA -36-82			L.	/R atitu	58 m de: 2	AAT 29-01- 31-03-	-53
Bear. (deg)	Dist (km)	Bear. (deg)			ERP	F.S. (dBu)	(dB)	Bear. (deg)				F.S. (dBu)
88.0	5.6	11.2				74.7		88.0				74.4
		11.2		449	100		- . 3				.63	74.5
90.0	5.6		48.5	449	100	74.8		90.0			.63	74.5
	5.6	11.2		449	100	74.8		91.0			.63	74.5
92.0	5.6		48.3	449	100	74.9		92.0			.63	74.6
93.0	5.6	11.2		449	100	74.9		93.0			.63	74.6
94.0	5.5	11.2		449	100	75.0		94.0			.63	74.7
95.0	5.5	11.2	48.0	449	100	75.0	3	95.0	5.54	62.2	.63	74.7
96.0	5.5	11.2	47.9	449	100	75.1	3	96.0	5.52	62.1	.63	74.7
97.0	5.5	11.2	47.8	449	100	75.1	3	97.0	5.51	62.0	.63	74.8
98.0	5.5	11.2	47.7	449	100	75.1		98.0			-63	74.8
99.0	5.5	11.2		449	100	75.2		99.0			.63	74.8
100.0	5.5	11.2		449	100	75.2	3	100.0			.63	74.9
101.0	5.4	11.2		449	100	75.3	4	101.0			.63	74.9
102.0	5.4	11.1		449	100	75.3	4	102.0			.63	74.9
103.0	5.4	11.1		449	100	75.4	4	103.0			.63	75.0
104.0	5.4	11.1		449	100	75.4		104.0			•63	75.0
	5.4	11.1		449	100	75.5		105.0			.63	75.0
106.0	5.4	11.1		449	100	75.5		106.0			.63	75.1
107.0	5.4	11.0		449	100	75.5	4	107.0			.63	75.1
108.0 109.0	5.4 5.3	11.0		449	100 100	75.6	4 4	108.0			.63	75.1
110.0	5.3 5.3	11.0 10.9		449 449	100	75.6 75.7		109.0			.63	75.2 75.2
111.0	5.3	10.7		449	100	75.7 75.7	4 4	111.0			.63 .63	75.2
112.0	5.3		46.4	449	100	75.8	4	112.0			.63	75.3
113.0	5.3	10.8		449	100	75.8		113.0			.63	75.3
114.0	5.3	10.8		449	100	75.8	5	114.0			.63	75.3
115.0	5.3	10.7		449	100	75.9		115.0			.63	75.4
116.0					100		5					75.4
117.0	5.2	10.7		449	100	76.0	5	117.0			.63	75.4
118.0	5.2	10.6	45.9	449	100	76.0		118.0			.63	75.5
119.0	5.2	10.6	45.8	449	100	76.0	5	119.0	5.21	60.2	.63	75.5
120.0	5.2	10.5		449	100	76.1			5.21	60.1	-63	75.5
121.0	5.2	10.5			100	76.1					.63	75.6
122.0	5.2	10.4		449	100	76.2					-63	75.6
123.0	5.2	10.3		449	100	76.2		123.0			-63	75.6
124.0	5.2	10.3		449	100	76.2	5	124.0			-63	75.7
125.0	5.1	10.2		449	100	76.3	6	125.0			.63	75.7
126.0	5.1	10.2		449	100	76.3	6	126.0			.63	75.7
127.0	5.1	10.1		449	100	76.3	6				.63	75.8
128.0	5.1	10.0		449	100	76.4	6				.63	75.8
129.0 130.0	5.1 5.1	10.0 9.9		449	100	76.4					.63	75.8
130.0		7.7 7.8		449 449	100 100	76.4 76.5					.63	75.8
131.0	J.1	7.0	~~~ • 7	747	100	(0.0	~.0	131.0	2.08	J7.2	.63	75.9

Exhibit E-7

Mims Community Radio, Inc. Docket No. 92-33

Amendment to BPED-891127MD Channel 204C3 at Oak Hill FL

Sit	-01-53	۵.	/R d atitu	445 m de: 3				L	/R atitu	58 m de: 3	n. 204 AAT 29-01- 31-03-	-53
Bear. (deg)	Dist (km)	Bear. (deg)	(km)	(m)	(kW)	F.S. (dBu)	U/D (dB)	Bear. (deg)	(km)	(m)	ERP (kW)	F.S. (dBu)
132.0	5.1	9.8	44.9	449	100	76.5	6	132.0	5.07	59.1		75.9
133.0	5.0		44.8	449	100	76.5	6	133.0			.63	75.9
134.0	5.0		44.7	449	100	76.6	6	134.0			.63	76.0
135.0	5.0		44.7	449	100	76.6	6	135.0			.63	76.0
136.0	5.0		44.6	449	100	76.6	6	136.0			.63	76.0
137.0	5.0		44.5	449	100	76.7	6	137.0			.63	76.0
138.0 139.0	5.0 5.0		44.5 44.4	449 449	100	76.7	6	138.0		58.8	.63	76.0
140.0	5.0		44.3	447	100 100	76.7 76.8	7 7	139.0 140.0		58.8 58.8	.63	76.1
141.0	5.0		44.3	449	100	76.8	7 7	141.0			.63 .63	76.1 76.1
142.0	5.0		44.2	448	100	76.8	7	142.0			.63	76.1
143.0	5.0		44.2	448	100	76.9	7	143.0			.63	76.2
144.0	5.0		44.1	448	100	76.9	7	144.0			.63	76.2
145.0	5.0		44.0	448	100	76.9	7	145.0			.63	76.2
146.0	5.0		44.0	448	100	76.9	7	146.0			.63	76.2
147.0	5.0		43.9	448	100	77.0	7	147.0			.63	76.2
148.0	4.9		43.9	448	100	77.0	7	148.0			.63	76.3
149.0	4.9	8.4	43.8	448	100	77.0	7	149.0			.63	76.3
150.0	4.9	8.3	43.8	448	100	77.0	7	150.0			.63	76.3
151.0	4.9	8.2	43.7	448	100	77.1	7	151.0	4.92	58.8	.63	76.3
152.0	4.9	8.1	43.7	448	100	77.1	7	152.0	4.92	58.8	.63	76.3
153.0	4.9		43.6	448	100	77.1	7	153.0			.63	76.4
154.0	4.9		43.6	448	100	77.1	7	154.0	4.91	58.8	.63	76.4
155.0	4.9		43.6	448	100	77.1	7	155.0			.63	76.4
156.0	4.9		43.5	448	100	77.2	7	156.0			.63	76.4
157.0	4.9		43.5	448	100	77.2	7	157.0			.63	76.4
158.0	4.9		43.4	448	100	77.2	7	158.0			.63	76.4
159.0	4.9		43.4	448	100	77.2	7	159.0			.63	76.5
160.0	4.9		43.4				7					76.5
161.0	4.9		43.3 43.3	448	100	77.3	7	161.0			.63	76.5
162.0 163.0	4.9 4.9		43.3	448 448	100 100	77.3 77.3	7 - 7	162.0 163.0			.63	76.5
164.0	4.9		43.2	448	100	77.3	7 8	164.0			.63 .63	76.5 76.5
165.0	4.9		43.2	448	100	77.3	8	165.0			.63	76.5
166.0	4.9		43.2	448	100	77.3	8	166.0			.63	76.5
167.0	4.9		43.1	448	100	77.4	8	167.0			.63	76.6
168.0	4.9		43.1	448	100	77.4	8	168.0			.63	76.6
169.0	4.9		43.1	448	100	77.4	8	169.0			.63	76.6
170.0	4.8		43.1		100	77.4	8	170.0			.63	76.6
171.0	4.8		43.1	448	100	77.4	8	171.0			.63	76.6
172.0	4.8		43.0	448	100	77.4	8	172.0			.63	76.6
173.0	4.8		43.0	448	100	77.4	8	173.0			.63	76.6
174.0	4.8	5.8	43	448	100	77.4	8	174.0	4.83	58.8	.63	76.7
175.0	4.8	5.7	43.0	448	100	77.4	8	175.0	4.83	58.8	.63	76.7

June 1992 Mims Community Radio, Inc.

Docket No. 92-33

Amendment to BPED-891127MD

Channel 204C3 at Oak Hill FL

Interfe Sit Lat 29 Lon 81	e 2-01-53	C/ La		145 m de: 2	nel 6 AAT 28-36- 31-05-			La	Propo /R atitu ngitu	58 m de: 2	n. 204 AAT 29-01- 31-03-	-53
Bear. (deg)	Dist (km)	Bear. (deg)		Haat (m)	ERP (kW)	F.S. (dBu)	U/D (dB)	Bear. (deg)			ERP (kW)	F.S. (dBu)
176.0	4.8	5.6	43.0	448	100	77.4	8	176.0	4.83	58.8	.63	76.7
177.0	4.8	5.5	43.0	448	100	77.4	8	177.0	4.83	58.8	.63	76.7
178.0	4.8	5.4	43.0	448	100	77.4	8	178.0	4.83	58.8	.63	76.7
179.0	4.8		42.9	448	100	77.5	8	179.0			.63	76.7
180.0	4.8		42.9	448	100	77.5	8	180.0			.63	76.7
181.0	4.8		42.9	448	100	77.5	8	181.0			.63	76.7
182.0	4.8		42.9	448	100	77.5	8	182.0			.63	76.7
183.0	4.8		42.9	448	100	77.5	8	183.0			.63	76.7
184.0 185.0	4.8 4.8		42.9 42.9	448 448	100	77.5 77.5	8 8	184.0 185.0			.63	76.7 76.6
186.0	4.8		42.9	448	100	77.4	8	186.0			.63	76.7
187.0	4.8		42.9	448	100	77.4	8	187.0			.63	76.7
188.0	4.8		42.9	448	100	77.4	8	188.0			.63	76.6
189.0	4.8		43.0	448	100	77.4	8	189.0			.63	76.7
190.0	4.8		43.0	448	100	77.4	8	190.0			.63	76.6
191.0	4.8	3.9	43.0	448	100	77.4	8	191.0	4.79	57.7	.63	76.6
192.0	4.8	3.8	43	448	100	77.4	8	192.0			.63	76.6
193.0	4.8		43.0	448	100	77.4	8	193.0			.63	76.6
194.0	4.8		43.0	448	100	77.4	8	194.0			.63	76.6
195.0	4.8		43.1	448	100	77.4	8	195.0			.63	76.6
196.0	4.8		43.1 43.1	448 448	100	77.4 77.4	8 8	196.0 197.0			.63 .63	76.6 76.6
197.0 198.0	4.8 4.8		43.1	448	100	77.4	8	198.0			.63	76.6
199.0	4.8		43.1	448	100	77.3	8	199.0			.63	76.6
200.0	4.8		43.2	448	100	77.3	8	200.0			.63	76.6
201.0	4.8		43.2	448	100	77.3	8	201.0			.63	76.5
202.0	4.8		43.2	448	100	77.3	8	202.0			.63	76.5
203.0	4.8		43.2	448	100	77.3	7	203.0			.63	76.5
204.0	4.8	2.5	43.3	448	100	77.3	7	204.0	4.78	56.5	.63	76.5
205.0	4.8		43.3	448	100	77.3	7	205.0			.63	76.5
206.0	4.8		43.3	448	100	77.2	7	206.0			.63	76.5
207.0	4.8		43.4	448	100	77.2	7	207.0			.63	76.5
208.0	4.8		43.4	448	100	77.2	7	208.0			.63	76.5
209.0 210.0	4.8 4.8		43.4 43.5	448 448	100 100	77.2 77.2	7 7	209.0			.63	76.5 76.4
211.0	4.8		43.5	448	100	77.2	7 7	210.0			.63 .63	76.4
212.0	4.8		43.6	448	100	77.1	 7	212.0			.63	76.4
213.0	4.8		43.6	448	100	77.1	7	213.0			.63	76.4
214.0	4.8		43.6	448	100	77.1	7	214.0			.63	76.3
215.0	4.8		43.7		. 100	77.1	7	215.0			.63	76.3
216.0	4.8		43.7	448	100	77.0	7	216.0	4.78	55.3	.63	76.3
217.0	4.8		43.8	448	100	77.0	7	217.0			.63	76.3
218.0	4.8		43.8	448	100	77.0	7	218.0			.63	76.3
219.0	4.8	1.1	43.9	448	100	77.0	7	219.0	4.78	55.0	.63	76.3

Exhibit E-7 PROTECTION TO TV SIX - CFR 73.525 June 1992

Mims Community Radio, Inc.
Docket No. 92-33
Amendment to BPED-891127MD
Channel 204C3 at Oak Hill FL

Interfe Sit Lat 29 Lon 81	-01-53	C. La	/R 4 atitud	145 m de:	TAA -36-82	-08		C. La	Propos /R atitud ngitud	58 m de: 2		-53
	Dist (km)	_	(km)	(m)	(kW)	F.S. (dBu)	(dB)	(deg)	(km)	(m)	(kW)	F.S. (dBu)
220.0	4.8		43.9		100	76.9	7	220.0				76.2
221.0	4.8		44.0	448	100	76.9		221.0				76.2
222.0	4.8	.9	44.0	448	100	76.9	7	222.0	4.79	54.7	.63	76.2
223.0	4.8	.8	44.1	448	100	76.9	7	223.0	4.79	54.6	.63	76.2
224.0	4.8	.7	44.1	448	100	76.8	7	224.0	4.79	54.5	.63	76.1
225.0	4.8	.6	44.2	448	100	76.8	7	225.0	4.79	54.4	.63	76.1
226.0	4.8	.5	44.3	448	100	76.8	7	226.0	4.79	54.4	.63	76.1
227.0	4.8	.4	44.3	448	100	76.8	7	227.0	4.79	54.3	.63	76.1
228.0	4.8		44.4	448	100	76.7	6	228.0	4.80	54.3	.63	76.1
229.0	4.8	.3	44.4	448	100	76.7	6	229.0			.63	76.1
230.0	4.8		44.5	448	100	76.7	6	230.0			.63	76.0
231.0	4.8		44.5	448	100	76.6		231.0			.63	76.0
232.0	4.8		44.6	448	100	76.6		232.0			.63	76.0
233.0	4.8		44.7	448	100	76.6		233.0			.63	75.9
234.0	4.8	359.9		448	100	76.5		234.0			.63	75.9
235.0	4.8	359.9		448	100	76.5		235.0			.63	75.9
236.0	4.9	359.8		448	100	76.5		236.0			.63	75.9
237.0	4.9	359.7		448	100	76.5		237.0			.63	75.8
238.0	4.9	359.7		448	100	76.4		238.0			.63	75.8
239.0	4.9	359.6		448	100	76.4		239.0			.63	75.8
240.0	4.9	359.5		448	100	76.3		240.0			.63	75.8
241.0	4.9	359.5		448	100	76.3	6	241.0			.63	75.7
242.0	4.9	359.4 359.4		448	100	76.3	6	242.0			.63	75.7
243.0 244.0	4.9 4.9	357.4		448	100	76.2	6 5	243.0			.63	75.7
244.0	4.7 4.9	359.3		448 448	100	76.2 76.2		244.0			-63	75.6
245.0	4.9	359.2		448	100	76.1		245.0 246.0			.63	75.6 75.6
247.0	4.7	359.2			100	76.1		247.0			.63	75.6
248.0					100							
249.0	5.0	359.1		448	100	76.0	5	249.0			.63	75.5
250.0	5.0	359.0		448	100	76.0	5	250.0			.63	75.5
251.0	5.0	359.0		448	100	76.0	5	251.0			.63	75.4
252.0	5.0	358.9		448	100	75.9	5	252.0		54	.63	75.4
253.0	5.0	358.9		448	100	75.9	5	253.0			.63	75.4
254.0	5.0	358.9		448	100	75.8	5	254.0			.63	75.4
255.0	5.0	358.8		448	100	75.8	5	255.0		54.0	.63	75.3
256.0	5.0	358.8	46.4	448	100	75.8	4	256.0		54.0	.63	75.3
257.0	5.0	358.7	46.5	448	100	75.7	4	257.0			.63	75.2
258.0	5.0	358.7	46.5	448	100	75.7	4	258.0			.63	75.2
259.0	5.0	358.7		448	100	75.6	4	259.0	5.03	53.9	.63	75.2
260.0	5.0	358.7		448	100	75.6	4	260.0			.63	75.2
261.0	5.0	358.6		448	100	75.6	4	261.0			.63	75.1
262.0	5.1	358.6		448	100	75.5	4	262.0			.63	75.1
263.0	5.1	358.6	47.0	448	100	75.5	4	263.0	5.07	53.9	.63	75.1

PROTECTION TO TV SIX - CFR 73.525 June 1992 Mims Community Radio, Inc. Docket No. 92-33

Amendment to BPED-891127MD Channel 204C3 at Oak Hill FL

Interfe Site Lat 29 Lon 81	e -01-53	WCFX C/R 4 Latitud Longitud	145 m de: 2	nel 6 AAT 28-36- 31-05-	-08		Pr C/R Lat Long	ituc	58 m de: 2		·53
Bear. (deg)	Dist (km)	Bear. Dist (deg) (km)		ERP (kW)	F.S. (dBu)	U/D (dB)	Bear. D			ERP (kW)	F.S. (dBu)
264.0	5.1	358.6 47.1	448	100	75.4	4	264.0 5			.63	75.0
265.0 266.0	5.1 5.1	358.5 47.1 358.5 47.2	448 448	100 100	75.4 75.3	4 4	265.0 5 266.0 5			.63 .63	75.0 75.0
267.0	5.1	358.5 47.3	448	100	75.3	4	267.0 5			.63	74.9
268.0	5.1	358.5 47.4	448	100	75.3	3	268.0 5			.63	74.9
269.0	5.1	358.5 47.5	448	100	75.2	3	269.0 5			.63	74.9
270.0	5.1	358.5 47.6	448	100	75.2	3	270.0 5			.43	74.8
271.0	5.1	358.5 47.7	448	100	75.1	3	271.0 5			.63	74.8
272.0	5.2	358.5 47.8	448	100	75.1	3	272.0 5			.63	74.8
273.0	5.2	358.5 47.9	448	100	75.1	3	273.0 5			.63	74.7
274.0	5.2	358.5 48.0	448	100	75.0	3	274.0 5			.63	74.7
275.0	5.2	358.5 48.0	448	100	75.0	3	275.0 5			.63	74.7
276.0	5.2	358.5 48.1	448	100	74.9	3	276.0 5			.63	74.6
277.0	5.2 5.2	358.5 48.2 358.5 48.3	448 448	100 100	74.9 74.8	3 3	277.0 5 278.0 5			.63 .63	74.6 74.5
278.0 279.0	5.2 5.2	358.5 48.4	448	100	74.8	3 3	279.0 5			.63	74.5
280.0	5.2 5.2	358.5 48.5	448	100	74.8	3	280.0 5			.63	74.5
281.0	5.3	358.5 48.6	448	100	74.7	3	281.0 5			.63	74.5
282.0	5.3	358.5 48.7	448	100	74.7	2	282.0 5			.63	74.4
283.0	5.3	358.5 48.8	448	100	74.6	2	283.0 5			.63	74.4
284.0	5.3	358.5 48.9	448	100	74.6	2	284.0 5			.63	74.3
285.0	5.3	358.5 49.0	448	100	74.5	2	285.0 5	.30	54.1	.63	74.3
286.0	5.3	358.6 49.0	448	100	74.5	2	286.0 5			.63	74.3
287.0	5.3	358.6 49.1	448	100	74.5	2	287.0 5			.63	74.2
288.0	5.3	358.6 49.2	448	100	74.4	2	288.0 5			.63	74.2
289.0	5.4	358.6 49.3	448	100	74.4	2	289.0 5			.63	74.2
290.0	5.4	358.6 49.4 358.7 49.5	448	100	74.3	2	290.0 5			.63	74.1
291.0 292.0	5.4 5.4	358.7 49.5 358.7 49.6	448 448	100	74.3 74.3	2° 2	291.0 5 292.0 5			.63 .63	74.1 74.1
293.0	5.4	358.7 49.7	448	100	74.3	2 2	293.0 5			.63	74.0
294.0	5.4	358.8 49.8	448	100	74.2	2	294.0 5			.63	74.0
295.0	5.4	358.8 49.9	448	100	74.1	2	295.0 5			.63	73.9
296.0	5.4	358.8 50.0	448	100	74.1	2	296.0 5			.63	73.9
297.0	5.4	358.9 50.0	448	100	74.0	2	297.0 5	.45	54.4	.63	73.9
298.0	5.5	358.9 50.1	448	100	74.0	2	298.0 5	.46	54.4	.63	73.8
299.0	5.5	359.0 50.2	448	100	74.0	2	299.0 5			.63	73.8
300.0	5.5	359.0 50.3	448	100	73.9	1	300.05			.63	73.8
301.0	5.5	359.1 50.4	448	100	73.9	1	301.0 5			.63	73.7
302.0	5.5 5.5	359.1 50.5	448	100	73.8	1	302.0 5			.63	73.7
303.0 304.0	5.5 5.5	359.1 50.6 359.2 50.7	448 448	100 100	73.8 73.8	1 1	303.0 5			.63	73.6
304.0	5.5	359.3 50.7	448	100	73.8	1 1	304.0 5 305.0 5			.63 .63	73.6 73.6
304.0	5.5	359.3 50.8	448	100	73.7	i	305.0 5			.63	73.6
307.0	5.6	359.4 50.9	448	100	73.7	1	307.0 5			.63	73.5

Mims Community Radio, Inc. Docket No. 92-33 Amendment to BPED-891127MD Channel 204C3 at Oak Hill FL

	e -01-53	Latitude: 28-36-08										
Bear. (deg)	Dist (km)	Bear. Dis (deg) (km	t Haat			U/D (dB)	Bear. (deg)			ERP (kW)	F.S. (dBu)	
308.0	5.6	359.4 51.	0 448	100	73.6	1	308.0	 5 57	 54 7	.63	73.5	
309.0	5.6	359.5 51.			73.6		309.0				73.5	
310.0	5.6	359.5 51.			73.5		310.0			.63	73.4	
311.0	5.6	359.6 51.			73.5		311.0			.63	73.4	
312.0	5.6	359.7 51.			73.5		312.0			.63	73.4	
313.0	5.6	359.8 51.	4 448	100	73.4		313.0			.63	73.3	
314.0	5.6	359.8 51.	5 448	100	73.4		314.0	5.63	54.8	.63	73.3	
315.0	5.6	359.9 51.	6 448	100	73.4		315.0	5.64	54.9	.63	73.3	
316.0	5.7	359.9 51.	6 448	100	73.3	1	316.0	5.65	55.0	.63	73.3	
317.0	5.7	359.8 51.	7 448	100	73.3		317.0	5.67	55.1	.63	73.2	
318.0	5.7	.1 51.	8 448	100	73.3	0	318.0	5.68	55.2	.63	73.2	
319.0	5.7	.0 51.		100	73.2		319.0			.63	73.2	
320.0	5.7	.2 51.			73.2	0	320.0			.63	73.1	
321.0	5.7	.2 52.			73.1	0	321.0			.63	73.1	
322.0	5.7	.3 52.			73.1	0	322.0			.63	73.1	
323.0	5.8	.4 52.			73.1	0	323.0			.63	73.0	
324.0	5.8	.5 52.			73.0		324.0			.63	73.0	
325.0	5.8	.6 52.			73.0		325.0			.43	73.0	
326.0	5.8	.7 52.			73.0	.0	326.0			.63	73.0	
327.0	5.8	.7 52.			73.0		327.0			.63	72.9	
328.0	5.8	.8 52.			72.9	.0	328.0			.63	72.9	
329.0	5.8	.9 52.			72.9		329.0			.63	72.9	
330.0	5.9	1.0 52.			72.9	.0	330.0			.63	72.9	
331.0	5.9	1.1 52.			72.8	.0	331.0			.63	72.9	
332.0 333.0	5.9 5.9	1.2 52. 1.3 52.			72.8	.0	332.0			.63	72.8	
333.0	5.9	1.3 52.			72.8 72.8		333.0 334.0			.63	72.8	
335.0	5.9	1.5 52.			72.7	.0	335.0			.63 .63	72.8 72.8	
336.0	5.9	1.6 53.		100	72.7		336.0			.63		
337.0	5.9	1.6 53.		100	72.7	.1	337.0			.63	72.7	
338.0	6.0	1.7 53.		100	72.6	.1	338.0			.63	72.7	
339.0	6.0	1.8 53.		100	72.6	.1	339.0			.63	72.7	
340.0	6.0	1.9 53.		100	72.6	.1	340.0			.63	72.7	
341.0	6.0	2.0 53.		100	72.6	.1	341.0			.63	72.7	
342.0	6.0	2.1 53.		100	72.6	.1	342.0		58.1	.63	72.6	
343.0	6.0	2.2 53.		100	72.5	.1	343.0			.63	72.6	
344.0	6.0	2.3 53.		100	72.5	.1	344.0			.63	72.6	
345.0	6.0	2.5 53.		100	72.5	.1	345.0			.63	72.6	
346.0	6.0	2.6 53.		100	72.5	. 1	346.0			.63	72.6	
347.0	6.1	2.7 53.		100	72.5	. 1	347.0			.63	72.6	
348.0	6.1	2.8 53.		100	72.4	.1	348.0			.63	72.5	
349.0	6.1	2.9 53.	6 448	100	72.4	.1	349.0			.63	72.5	
350.0	6.1	3.0 53.	448	100	72.4	.1	350.0	6.08	59.0	.63	72.5	
351.0	6.1	3.1 53.	7 448	100	72.4	. 1	351.0	6.09	59.2	.63	72.5	

Mims Community Radio, Inc.
Docket No. 92-33
Amendment to BPED-891127MD
Channel 204C3 at Oak Hill FL

Educational FM/TV Channel 6 Interference area

		WCPX Channel 6 C/R 445 m AAT Latitude: 28-36-08 Longitude: 81-05-37						Proposed Ch. 204 C/R 58 m AAT Latitude: 29-01-53 Longitude: 81-03-14					
Bear. (deg)	Dist (km)	Bear. (deg)	Dist (km)	Haat (m)	ERP (kW)	F.S. (dBu)	(dB)	Bear. (deg)	Dist (km)	Haat (m)	ERP (kW)	F.S. (dBu)	
352.0	6.1	3.2	53.7	448	100	72.4	. 1	352.0	6.10	59.3	.63	72.5	
353.0	6.1	3.3	53.7	448	100	72.4	. 1	353.0	6.11	59.4	.43	72.5	
354.0	6.1	3.4	53.7	448	100	72.4	.1	354.0	6.12	59.5	.63	72.5	
355.0	6.1	3.5	53.8	448	100	72.3	. 1	355.0	6.13	59.6	.63	72.5	
356.0	6.1	3.6	53.8	448	100	72.3	.1	356.0	6.13	59.8	.63	72.5	
357.0	6.1	3.8	53.8	448	100	72.3	.1	357.0	6.14	59.9	.63	72.5	
358.0	6.2	3.9	53.8	448	100	72.3	.1	358.0	6.15	60.0	.63	72.4	
359.0	6.2	4.0	53.8	448	100	72.3	.1	359.0	6.16	60.1	.63	72.4	

Total interference area: 93.0118 sq km (35.9121 sq mi)

Interference Area to WCPX TV Six:

93 sq km

Total population in interference area

2,446

CFR 73.525 requires that predicted interference goes to 3,000 persons or less, except that if the applicant provides 1000 traps, the total recipiants of interference may reach 4,000.

As a matter of being a "good neighbor" and to have a good relationship with WCPX, the applicant will resolve any received interference from it to WCPX.

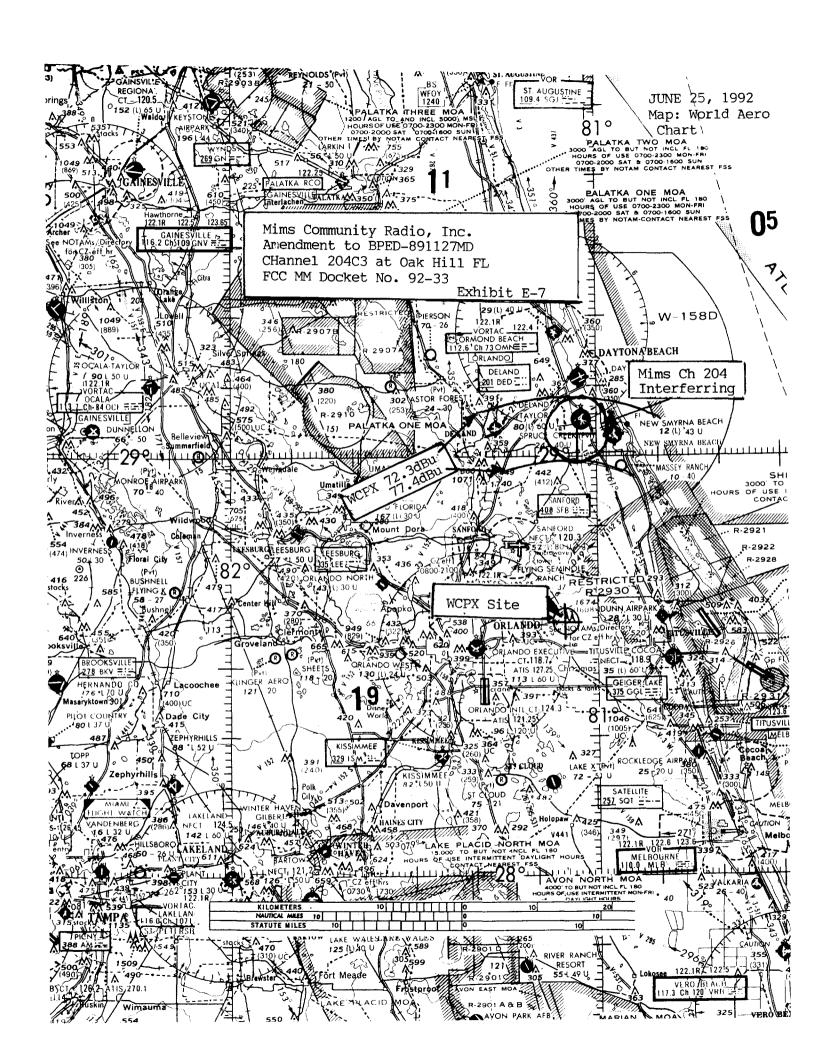
The latest census data available was used (1986 update).

June, 1992 EXHIBIT E-7 Mims Community Radio, Inc. Channel 204 C3 at Oak Hill, FL Amendment to BPED-891127MD MM Docket No. 92-33

PROTECTION TO WCPX TV SIX

CFR 73.525

bear. (deg)	Dist. (km)	
.0	6.2	
5.0	6.2	
10.0	6.2	Distance in kilometers to interference
	6.2 6.2	contour from Mims* proposed FM antenna
	6.2	
	6.2	
	6.2	
	6.2	
	6.1	
	6.1	220.0 4.8
55.0	6.0	225.0 4.8
	6.0	230.0 4.8
	5.9	235.0 4.8
	5.9	240.0 4.9
	5.8	245.0 4.9
	5.7	250.0 5.0 255.0 5.0
	5.7	250.0 5.0
90.0 95.0	5.6 5.5	265.0 5.1
	5.5	270.0 5.1
105.0	5.4	275.0 5.2
110.0	5.3	280.0 5.2
115.0	5.3	285.0 5.3
120.0	5.2	290.0 5.4
125.0	5.1	295.0 5.4
130.0	5.1	300.0 5.5
135.0	5.0	305.0 5.5
140.0	5.0	310.0 5.6
145.0	5.0	315.0 5.6
	4.9	320.0 5.7 325.0 5.8
155.0 140.0	4.9 4.9	330.0 5.9
165.0	4.9	335.0 5.9
170.0	4.8	340.0 6.0
175.0	4.8	345.0 6.0
180.0	4.8	350.0 6.1
185.0	4.8	355.0 6.1
190.0	4.8	
195.0	4.8	
200.0	4.8	
205.0	4.8	
210.0	4.8	
215.0	4.8	



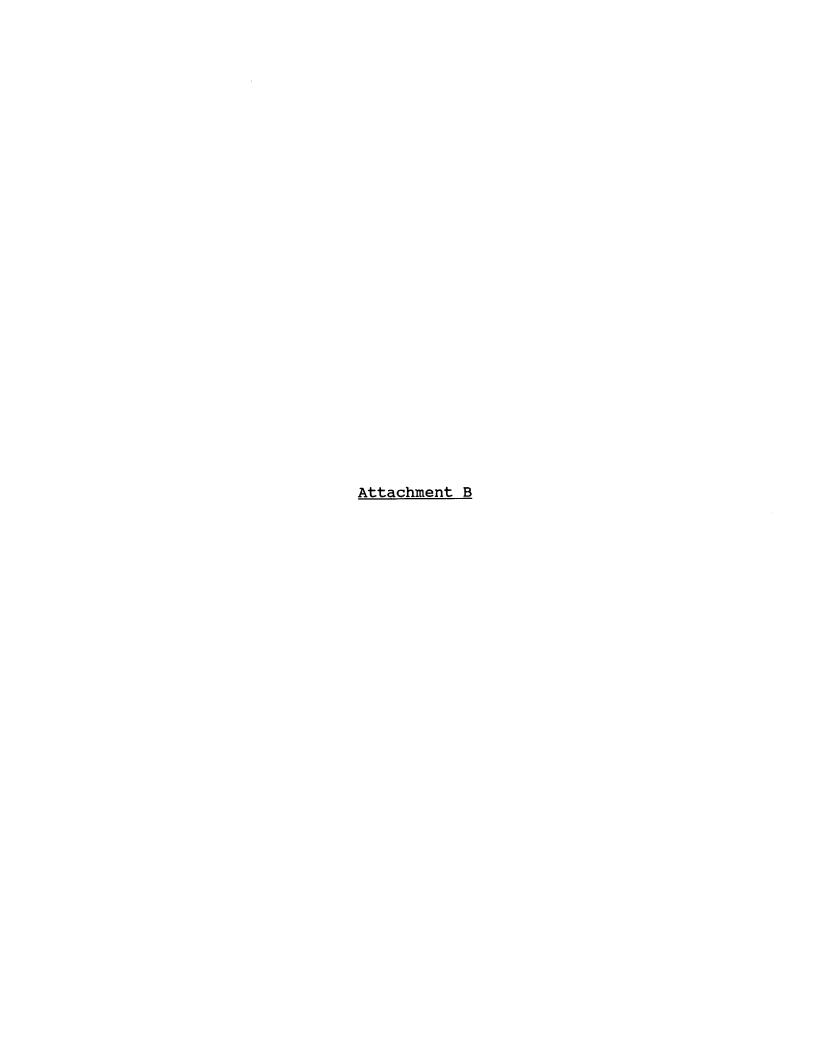
U.S.Department of Transpor Federal Aviation Administr 1. Nature of Proposa	tation	OSED CONSTRUCTION OR ALTER		
1 Nature of Propose				
		C. Work Schedule Dates	2. Complete Description of Structur	
A. Type XXNew Construction Alteration	B. Class X Permanent Temporary (Duration mon	Beginning pending FCC	A. Include effective radiated power and assigne all existing, proposed or modified AM, FM, or stations utilizing this structure.	
	iss of individual, company, corpora Iteration. (Number, Street, City, State and		 B. Include size and configuration of power trans and their supporting towers in the vicinity of and public airports. 	
(407) <u>267 3</u> area code Telephone	000		C. Include information showing site orientation and construction materials of the proposed s	
495	s COmmunity Radio 5 International D s, FL 32754		A. 25KW Vertical page 88.7 mhz	
			B. Regular roadsid wooden poles	ae
B. Name, address and telep	phone number of proponent's representative I	If different than 3 above.	C. Steel skeletal qu	ıved tower
_	Henry		made of uniform secti	-
	osephine St	407 267 2000	inch face (Rohn 45G);	
TItus	ville, FL 32796	407 267 3000	meters, above a tolline of a	separate sheet.)
4. Location of Struct			5. Height and Elevation (Complete to the	e nearest foot)
A. Coordinates (To nearest second)	B. Nearest City or Town, and State	C. Name of nearest airport, heliport, flight park, or seaplane base	A. Elevation of site above mean sea level	25
29 01 53 Latitude	Samsula, FL unincorporated MIIIOS town-twr is in it.	Spruce Creek (1) Distance from structure to nearest point of nearest runway 2.8 miles	B. Height of Structure including all appurtenances and lighting (// any) above ground, or water if so situated	199
81 03 14 Longitude	T	(2) Direction from structure to airport 18 ⁰ true	C. Overall height above mean sea level (A + B)	224
Notice is required by Part 7: Persons who knowingly and than \$2,000 for subsequent	7 of the Federal Aviation Regulations (14 C.F. I willingly violate the Notice requirements of offenses, pursuant to Section 902(a) of the Fo	R. Part 77) pursuant to Section 1101 of the Federal Avia Part 77 are subject to a fine (criminal penalty) of not mo ederal Aviation Act of 1958, as amended (49 U.S.C. 1472 made by me are true, complete, and correc	tion Act of 1958, as amended (49 U.S.C. 1101). re than \$500 for the first offense and not more (a)).	
	on, I agree to obstruction mark an	id/or light the structure in accordance wit		
Date 6/25/92	Typed Name/Title of Person Filing Notice Randy Henry Te	echnical Director	Ture Roughtung	
FOR FAA USE ONLY	MARKET CARREST CONTRACTOR	FAA will either retu	rn this form or josue a separate/ackno	wiedgement).
The Proposal: □ Does not require a no □ Is not identified as ar any standard of FAR, and would not be a house a standards of FAR, Pestandards of FAR, Pe	otice to FAA. At	emental Notice of Construction FAA Form 7480-2 is reg least 48 hours before the start of construction, thin five days after the construction reaches its greater etermination expires on ended, revised or terminated by the issuing office; to construction is subject to the licensing authority	of the Federal Communications Commission a	
would not be a hazard Should be obstructio Jighted per FAAA 70/7460-1, Chapter(s)	d to air navigation. exp □ □ marked, ctvisory Circular	a construction permit is made to the FCC on or place on the date prescribed by the FCC for completion of Request for extension of the effective period of this defeating office at least 15 days prior to the expiration diffracture is subject to the liceosing authority of the FCC	of construction, or on the data the FCC deging the termination must be postmarted or delivered to the ste	toplication

Mims Community Radio, Inc. Channel 204C3 at Oak Hill, FL Amendment to BPED-891127MD June 1992

CERTIFICATION OF TOWER SITE AVAILABILITY

The owners of the land on which the tower is proposed were approached on Friday June 19, 1992 and responded sympathetically to the proposed tower and to the proposed programming goals.

	nce, in good faith, that the site or structure proposed in Section stransmitting antenna, will be available to the applicant for	
lf No, attach as an Exhibit, a full exp	olantion.	Exhibit No. N/A
	on applicant's ownership of the proposed site or structure, and such reasonable assurance by contacting the owner or or structure.	
Name of Person Contacted	Mr and Mrs Roy Hilton	
Telephone No. linclude area codel	904 427 1947	
Person contacted: (check one box be)	'ou 1	
XX Owner Ow	ner's Agent Other Ispecifyl	



Before the **Federal Communications Commission** Washington, D.C. 20554

> **LETTER** Adopted: July 3, 1991

> > Released: July 17, 1991

James P. Riley, Esq. Fletcher, Heald & Hildreth 1225 Connecticut Avenue, N.W. Suite 400 Washington, D.C. 20036-2679

James K. Edmundson, Esq. Gardner, Carton & Douglas 1001 Pennsylvania Avenue, N.W. Suite 750 Washington, D.C. 20004

J. Dominic Monahan, Esq. Dow, Lohnes & Albertson 1255 Twenty-third Street, N.W. Suite 500 Washington, D.C. 20037

Robert A. Jones J&K Broadcasters 613 South LaGrange Road LaGrange, Illinois 60525

In re: Jerry J. Collins NEW, Junction City, Oregon, File No. BP-880503AE

Jerry J. Collins

File No. BP-880531AF

NEW, Troutdale, Oregon,

File No. BP-871028AC

Company

NEW, Eugene, Oregon,

Bjornstad Broadcasting

J&K Broadcasters

File No. BP-880531AE

NEW, Springfield, Oregon

Gentlemen:

This letter refers to the above-captioned applications for construction permits for new AM radio stations in Junction City and Troutdale, Oregon, filed by Jerry J. Collins ("Collins"); in Eugene, Oregon, filed by Bjornstad Broadcasting Company ("Bjornstad"); and in Springfield, Oregon, filed by J&K Broadcasters ("J&K"). On November 7, 1989, you filed a joint request for approval of a settlement agreement among the parties to the above applications which would result in grants of three of the four applications. On November 29, 1989, May 7, 1990, and October 23, 1990, this settlement agreement was supplemented by the parties with respect to issues pertaining to Section 307(b) of the Communications Act of 1934, as amended, and Sections 73.3525(b)(1) and 73.3571(j)(1) of the Commission's Rules.

In accordance with Section 73.3525 (a)(1) and (2) of the Rules, the agreement includes the parties' sworn statements of reasons why the settlement agreement is in the public interest and that their applications were not filed for the purpose of carrying out the settlement agreement. The parties state that approval of the agreement is in the public interest because it will remove the conflicts among their applications and will avoid the necessity of a comparative hearing, as well as enable Junction City and Troutdale to receive first transmission service.

The settlement provides that J&K's application will be dismissed in consideration for payment of \$1,000 by Collins and \$5,000 by Bjornstad, and that Bjornstad's application is being amended to specify 840 kHz rather than 860 kHz.1 The Collins applications for stations at Junction City and Troutdale will be prosecuted as filed. As originally proposed, Bjornstad's use of 860 kHz at Eugene is mutually exclusive with both J&K's Springfield application at 840 kHz and Collins' Troutdale application at 860 kHz, but the Springfield and Troutdale applications are not mutually exclusive with each other. Collins' Junction City application is not mutually exclusive with any of the applications, but it has been included in the settlement agreement by the parties. J&K's proposed dismissal of its application for 840 kHz at Springfield, a community immediately adjacent to Eugene, makes 840 kHz available for use in Bjornstad's amended Eugene application and eliminates the mutual exclusivity between the Eugene and Troutdale applications.

The settlement agreement is subject to the condition that the Commission issue one unified Order which grants all terms of the settlement agreement including: (1) grant of Bjornstad's Eugene application as amended without subjecting it to the Commission's cut-off procedure under Section 73.3571(j)(1) of the Rules;² and (2) dismissal of J&K's Springfield application without requiring republication of local public notice pursuant to Section 73.3525(b)(1) of the Commission's Rules. First, we consider the request for waiver of Section 73.3571(j)(1) of the Commission's Rules. In their May 7, 1990 and October 23, 1990 supplements, the parties contend that it would serve the public interest to allow Bjornstad's amended application to be prosecuted as part of the settlement without being assigned a new file number and being subjected to the Commission's cut-off process.

We find that a grant of a waiver would be in the public interest. First, the amendment eliminates the requirement for a comparative proceeding and permits the immediate grant of three of the four pending applications (Eugene, Troutdale and Junction City), including two applications (Troutdale and Junction City) for first local broadcast service. See, e.g., Las Americas Communications. Inc., 5 FCC Rcd 1634 (1990), remanded on other grounds, FCC 91-62 (released March 13, 1991) (settlement agreement approved and amendment accepted without subjecting application to cut-off despite applicant's failure to demonstrate strict compliance with "good cause" factors pursuant to Section 73.3522). Second, all parties have joined in the settlement agreement and, therefore, a waiver would not prejudice competing applicants or cause undue disruption of the Commission's administrative pro-

cesses. See Gilbert Broadcasting Corp., 91 FCC 2d 450 (1982). Third, a grant of a waiver of Section 73.3571(j)(1) would not cause a loss of right of reasonable notice to any theoretical potential applicant or objector, since the applications have already gone through the Commission's cut-off procedure. That procedure apprised potential applicants or objectors of the identities of the applicants. frequencies and locations involved. Fourth, the proposed contours in Bjornstad's amended Eugene application are essentially the same as J&K's proposed contours for Springfield. Thus, the amended Eugene application basically has no greater a preclusive effect on new applications than the Springfield application, which, as noted, was subjected previously to the Commission's cut-off process. To the extent the contours proposed in the applications are not congruent, any differences are no greater than would have been accounted for by a minor amendment to the Springfield application. Such an amendment would not have been placed on local public notice or a cut-off list. Therefore, given the facts and circumstances of this case, we see nothing which militates against allowing Bjornstad to amend its application to specify 840 kHz, and we conclude that a grant of a waiver of Section 73.3571(j)(1) is justified.

Next we consider whether to require republication of notice pursuant to Section 73.3525(b)(1) of the Commission's Rules. Under Section 73.3525(b)(1), when the terms of a settlement agreement include the withdrawal of an application, the Commission shall require republication of local public notice in the community of the withdrawing application if it determines that the application's withdrawal would unduly impede achievement of a fair, efficient and equitable distribution of radio service under Section 307(b) of the Communications Act of 1934, as amended. See, e.g., Mobile Broadcasting Service. Inc., 52 RR 2d 670 (1982). 3

In this case. Springfield is the community for which an application will be withdrawn pursuant to the settlement. Springfield currently has three stations licensed to it as a community, and two other stations dual-licensed to Springfield/Eugene. The parties also represent that Springfield, as a community adjacent to Eugene, is served by the seven stations licensed to serve Eugene. Furthermore, as pointed out, the Collins applications for Troutdale and Junction City are proposing first transmission service to their respective communities. Because Springfield is amply served and Troutdale and Junction City will receive first service, we find that the principles embodied in Section 307(b) of the Act are not unduly impeded by the terms of the settlement agreement, and republication therefore will not be required. See J-Star Broadcasting Co., Inc., 74 FCC 2d 432 (1979).

Finally, we note that prior to the settlement, Bjornstad filed petitions to deny against the Junction City, Troutdale, and Springfield applications, which were opposed by Collins and J&K, respectively. Based on the above-mentioned settlement agreement, which withdraws the petitions, and a review of the petitions and responsive pleadings, we find that no substantial and material question of fact remains with respect to the issues raised in the petitions to deny.

Based on the above, we conclude that the parties have complied with the procedural requirements for settlement agreements, and have shown adequate justification for a grant of a waiver of Section 73.3571(j)(1) of the Rules. Further, we conclude that republication is unwarranted

pursuant to Section Section 73.3525(b)(1) of the Rules. Accordingly, we hereby approve the settlement agreement. Pursuant to the agreement, the petitions to deny filed by Bjornstad and the application for a construction permit for a new AM station in Springfield, Oregon, filed by J&K Broadcasters (File No. BP-880531AE) ARE DISMISSED. Finally, the applications for construction permits for new AM stations in Junction City and Troutdale, Oregon, filed by Jerry J. Collins (File Nos. BP-880503AE, BP-880531AF) and the amended application for a construction permit for a new AM station in Eugene, Oregon, filed by Bjornstad Broadcasting Company (File No. BP-871028AC) ARE GRANTED.

This letter was adopted by the Commission on July 3, 1991

BY DIRECTION OF THE COMMISSION

Donna R. Searcy Secretary

FOOTNOTES

- ¹ The new rule adopted by the Commission which limits settlement payments in cases involving competing applications for construction permits for new broadcast stations is not applicable to agreements such as this one, which was filed prior to the rule's adoption. See Amendment of Section 73. 3525 of the Commission's Rules Regarding Settlement Agreements Among Applicants for Construction Permits (MM Docket No. 90-263), 6 FCC Rcd 85 (1990), modified on recon., FCC 91-155, 56 Fed. Reg. 28096 (June 19, 1991).
- ² Under Section 73.3571(j)(1) of the Rules, an amendment to an application for construction permit proposing change of frequency is considered to be a major modification of facilities, subject to assignment of a new file number and placement in the processing line according to the numerical sequence of the new file number. When accepted for filing, such applications are placed on a list published periodically by the Commission which announces a date ("cut-off") on which the listed applications will be considered available and ready for processing and by which all mutually exclusive applications and/or petitions to deny the listed applications must be filed.
- ³ The Commission's priorities under Section 307(b) are, in order of importance, (1) first aural service (reception service), (2) second aural service, (3) first local service (transmission service), and (4) other public interest considerations. Coequal weight is given to (2) and (3). Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88, 91 (1982). The Commission recognized that AM and FM have become joint components of a single aural medium; therefore, these priorities are applicable to both services. Id. at 92.

Certificate of Service

I hereby certify that a copy of the foregoing document was this 1st day of July, 1992 delivered by hand delivery to the following:

The Honorable Edward J. Kuhlmann Administrative Law Judge Federal Communications Commission 2000 L Street, N.W. Room 220 Washington, D.C. 20554

James Shook, Esq.
Hearing Division, Mass Media Bureau
Federal Communications Commission
Room 7212
2025 M Street, N.W.
Washington, D.C. 20036

Joseph E. Dunne, III, Esq.
May & Dunne, Chartered
1000 Thomas Jefferson Street, N.W.
Suite 520
Washington, D.C. 20007

Gary S. Smithwick, Esq. Smithwick & Belendiuk, P.C. 1990 M Street, N.W. Suite 510 Washington, D.C. 20036

James L. Oyster, Esq. *
Law Offices of James L. Oyster
Route 1, Box 203A
Castleton, Virginia 22716

A. Wray Fitch, III, Esq. *
Gammon & Grange
7th Floor
8280 Greensboro Drive
McLean, VA 22102-3807

* By overnight service.

Stephen Sugson